

THE KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES
April 1, 2019

A regular meeting of the Board of Examiners of Psychology was held on April 1, 2019 at the Department of Professional Licensing in Frankfort, KY.

MEMBERS PRESENT

Elizabeth McKune, Ed.D. – Chair
Joseph Dickhaus, M.S. – Vice-Chair
Erica Pristas, Ph.D.
Jamie Hopkins, Ph.D.
Jean Deters, Psy.D.
Owen Nichols, Psy.D.
Stacy Seale, M.S.

MEMBERS ABSENT

Gerald Walker, Psy.D.
Justin Gilfert – Citizen at Large

DEPARTMENT OF PROFESSIONAL LICENSING

Chessica Nation, Board Administrator
Megan Norton, Board Administrator
Robin Vick, Administrative Section Supervisor
Isaac VanHoose, Commissioner
Courtney Cook, Fiscal Section Liaison

OTHER

David Trimble, Legal Counsel
Mark Brengelman

CALL TO ORDER

Dr. McKune called the meeting to order at 10:05 a.m.

MINUTES

The minutes of the March 4, 2019 meeting were presented to the Board. Dr. Pristas made a motion to approve the minutes. Dr. Deters seconded the motion and it carried.

MONTHLY FINANCIAL REPORT & LEGAL FEES

The financial report ending March 2019 was presented to the Board.

DPL REPORT

Mr. VanHoose reported that DPL will be moving to the new building downtown. The expected timeframe of the move is late summer / early fall.

Ms. Vick reported that two staff, Susan Ellis (Fiscal Supervisor) and Megan Woodson (Board Administrator), left DPL effective March 31st. Interviews have been held for the BA position and the individual is planning to start April 16th. The new individual will be the BA for Psychology and Ms. Nation will move to two other boards at DPL.

LEGAL REPORT

Mr. Trimble discussed HB118 which removes delinquent student loans from the reasons a board is able to suspend, revoke, or not issue a license.

Mr. Trimble discussed the sunset law, KRS 13A.3102, that requires regulations to be updated or certified every 7 years or they will expire. A motion was made by Dr. Pristas to give permission to Mr. Trimble to file the appropriate letters on the Board's behalf. The motion was seconded by Dr. Hopkins and it carried.

Mark Brengelman presented to the Board on behalf of James Walker, a disciplined psychologist. He advised that Dr. Walker is considering relocating to New Zealand.

COMPLAINTS SCREENING COMMITTEE

- 18-02 - A motion was made by the Complaints Screening Committee to dismiss. The motion was seconded by Dr. Nichols and it carried.
- 2018PSY00007 - Appeal ongoing.
- 2018PSY00012 - Dr. McKune recused herself from discussion of this case. A motion was made by the Complaints Screening Committee to dismiss. The motion was seconded by Dr. Nichols and it carried.
- 2018PSY00017 - Appeal ongoing.
- 2018PSY00018 - Ongoing.
- 2018PSY00022 - Ongoing.
- 2018PSY00024 - Ongoing.
- 2018PSY00030 - A motion was made by the Complaints Screening Committee to dismiss. The motion did not receive a second. The Complaints Screening Committee will discuss this case again. Ongoing.
- 2019PSY00003 - A motion was made by the Complaints Screening Committee to issue a private admonishment. The motion was seconded by Dr. Nichols and it carried.
- 2019PSY00004 - Ongoing.
- 2019PSY00006 - A motion was made by the Complaints Screening Committee to issue a private admonishment. The motion was seconded by Dr. Nichols and it carried. A motion was made by the Complaints Screening Committee to issue an initiating complaint (2019PSY00007) against the supervisor in this case. The motion was seconded by Dr. Nichols and it carried. A motion was made by the Complaints Screening Committee to issue a private admonishment against the supervisor. The motion was seconded by Dr. Nichols and it carried.

The members of the Complaints Screening Committee recused from voting on the above recommendations of the Committee.

OLD BUSINESS

Information on D&O Coverage

Mr. Trimble has started a conversation with AIG regarding the Board's concerns with the exceptions, etc. and is waiting for a response.

A motion was made by Dr. Pristas to submit an RFP for D&O coverage. The motion was seconded by Dr. Hopkins and it carried. Mr. Trimble will assist with the language.

NEW BUSINESS

KPA Convention Presentations

Mr. Dickhaus will give the exam presentation and Dr. McKune will give the ethics presentation at the 2019 KPA Convention. Additional members will be added at a later date.

Retreat / July Meeting and Exam

A motion was made by Mr. Dickhaus to hold a regular board meeting and exam on Monday, July 8, 2019 with the meeting beginning at 10:00 a.m. and the exam beginning at 1:00 p.m. The motion was seconded by Dr. Hopkins and it carried.

Ms. Nation is to check with fiscal about setting up a retreat for July 19th at a state park to review regulations.

Some possible topics to be discussed at the retreat are:

- Creating a tracking sheet for ongoing action items
- Regulation review:
 - Add 2 year denial language (201 KAR 26:155 Section 5) to LPA and LPP application regulations (201 KAR 26:280 and 201 KAR 26:290)
 - Make the decreased supervision frequencies automatic instead of requiring licensees to petition the Board (201 KAR 26:171). This will also require updates to the supervision forms.

Board-Initiated Complaints

A motion was made by Dr. Nichols to initiate complaints (2019PSY00010 and 2019PSY00011) and send cease and desist letters to individuals calling themselves psychologists on a website, but they do not hold the appropriate licenses. The motion was seconded by Dr. Pristas and it carried.

Email Questions

The Board discussed questions received via email. Ms. Nation is to respond to inquiries as discussed.

LICENSURE STATUS REPORT

The Board reviewed the licensure status report.

COMMITTEE REPORTS

A motion was made by Dr. Hopkins to take the actions recommended by the corresponding committees. The motion was seconded by Dr. Nichols and it carried.

Supervision Committee

Dr. Deters discussed the inefficiency of requiring licensees to submit copies of their letters approving them to decrease supervision. This led to the discussion to make decreased supervision automatic once the appropriate amount of practice has been met. If a supervisee or supervisor felt that additional supervision was needed, they would always be able to go above the minimum requirements.

Dr. Deters discussed the additional information submitted by the LPA who is the CEO of a non-profit organization. The non-profit no longer employs the supervisor and the supervisor will be paid by a separate employer. The Board advised that this does not violate 201 KAR 26:171.

Dr. Hopkins discussed an applicant for a second temporary licensed psychologist license. The applicant advised that they are a 1099 contractor and not a W2 employee. A motion was made by the Supervision Committee to initiate a complaint against the supervisee and the supervisor (2019PSY00008 and 2019PSY00009). The motion was seconded by Dr. Nichols and it carried.

Continuing Education Committee

All applications were approved, but one was not approved for the full requested number of hours.

Credentials Review Committee

Mr. Dickhaus discussed two LPA applicants who listed a supervisor who is not yet licensed in Kentucky. The applicants will need to cease practicing until they find appropriate supervisors licensed in Kentucky.

Examination Committee

Mr. Dickhaus advised that the next exam is scheduled for May 10th.

The Board discussed what they would like the process to be for accepting new examiners. The new examiner would need to meet the same requirements as being a board member (being credentialed and engaged in practice for 3 years in Kentucky), as well as their license being in good standing. Additionally, they would need to submit a CV to be reviewed by the Examination Committee. The Board also discussed creating a Dos and Don'ts list for new examiners.

Disciplined Psychologists Committee

Dr. Nichols reported that Michael Cecil has met the requirements in his settlement agreement.

Newsletter Committee

No report.

SCHEDULE NEXT MEETING

Monday, May 6, 2019 at 10:00 a.m.

TRAVEL AND PER DIEM

Dr. Nichols made a motion to approve payment of travel expenses and per diem compensation for eligible members attending today's meeting and other board business between meetings. The motion, seconded by Dr. Hopkins, carried.

ADJOURNMENT

A motion was made by Dr. Nichols to adjourn the meeting at 1:03 p.m. The motion, seconded by Dr. Pristas, carried.

Elizabeth W. McKune, Ed.D.

Elizabeth W. McKune, Ed.D. - Chair